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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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10 FREDERICK CONNORS,

11 v. Plaintiff,

12 CHARTER BUSINESS, et al.,

13 Defendant.

14 Case No. 3:14-cv-00688-MMD-WGC

15 ORDER ACCEPTING AND ADOPTING  
16 REPORT AND RECOMMENDATION OF  
17 MAGISTRATE JUDGE WILLIAM G. COBB

18 Before the Court is the Report and Recommendation of United States Magistrate  
19 Judge William G. Cobb (dkt. no. 5) ("R&R") relating to plaintiff's application to proceed *in*  
20 *forma pauperis* (dkt. no 1) and pro se complaint (dkt. no. 1-1). Plaintiff had until March 22,  
21 2015, to object to the R&R. No objection has been filed.

22 This Court "may accept, reject, or modify, in whole or in part, the findings or  
23 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party  
24 timely objects to a magistrate judge's report and recommendation, then the court is  
25 required to "make a *de novo* determination of those portions of the [report and  
26 recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails  
27 to object, however, the court is not required to conduct "any review at all . . . of any issue  
28 that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).  
Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
magistrate judge's report and recommendation where no objections have been filed. See  
*United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard

1 of review employed by the district court when reviewing a report and recommendation to  
2 which no objections were made); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,  
3 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the  
4 view that district courts are not required to review "any issue that is not the subject of an  
5 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then  
6 the court may accept the recommendation without review. See, e.g., *Johnstone*, 263 F.  
7 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to  
8 which no objection was filed).

9 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to  
10 determine whether to adopt Magistrate Judge Cobb's R&R. The Magistrate Judge  
11 recommended dismissing with prejudice the action and denying the application to  
12 proceed *in forma pauperis*. Upon reviewing the R&R and records in this case, this Court  
13 finds good cause to adopt the Magistrate Judge's R&R in full.

14 It is therefore ordered, adjudged and decreed that the Report and  
15 Recommendation of Magistrate Judge William G. Cobb (dkt. no. 5) be accepted and  
16 adopted in its entirety.

17 It is ordered that this case is dismissed with prejudice, as amendment would be  
18 futile.

19 It is further ordered that plaintiff's Application to Proceed *In Forma Pauperis* is  
20 denied as moot.

21 The Clerk is directed to close this case.

22 DATED THIS 11<sup>th</sup> day of May 2015.

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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE